

Tarrant County Water District No. 1 inspection authority

HB 2056 by Mowery/Moncrief

DIGEST: The bill would have given Tarrant County Water District No. 1 inspection powers in any area that drains directly or indirectly, into reservoirs used by the district. Inspections would have been to determine if water quality standards were being met and effluent dischargers held appropriate permits. The district would have been entitled to enter property, other than private property related to the generation of electricity, and inspect conditions related to water quality and compliance with Texas Water Commission (TWC) rules, either according to a formal inspection schedule or in emergencies. The district would have had to notify the TWC of violations or potential violations encountered in inspections.

GOVERNOR'S REASON FOR VETO: "This bill attempts to grant to the Tarrant County Water Control and Improvement District powers of inspection that should be performed by the state. The bill would allow the district to have significant and extraordinary powers outside the district limits, including the right to intrude on private lands. The benefits to be gained by the district could be accomplished by intergovernmental contract with the Texas Water Commission."

RESPONSE: Rep. Anna Mowery, author of HB 2056, said, "I thought we had ironed out all the problems and the bill offended no one." The bill gave inspection authority to the district; enforcement remained with the Water Commission. The bill comes out of the "Save the Lake" organization in Tarrant County, where there have been some problems with agricultural run-off polluting the many lakes relied on as water sources. "This bill would have simply given the Water Commission arms and legs to help stop the problem," said Rep. Mowery.

The *Fort Worth Star Telegram* on June 18, 1991 quoted James Oliver, manager of the water district, as saying the TWC regional staff is stretched too thin to adequately monitor the thousands of acres in the district's 10-county watershed. "All our water supplies are well outside the district. The bill would give us the authority to go on private lands to

check illegal dumping and things that come downstream," Oliver was quoted as saying. He added that the veto contrasts with the governor's image as a friend of the environment.

NOTES: HB 2056 passed the House on the Local Calendar and was not analyzed in a *Daily Floor Report*.